

Application No. 10/777,651
Amendment dated September 18, 2006
Reply to Office Action of May 16, 2006

Docket No.: 2846-0301P

AMENDMENTS TO THE DRAWINGS

The attached sheets of drawings include changes to Figures 1, 2 and 3. In particular, Figure 1 and 2 have been labeled "Prior Art" and the black box showings in Figures 2 and 3 have been labeled as requested by the Examiner.

Attachment: Replacement sheet

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REMARKS

Claims 1-5 are now present in this application.

Claims 1-4 have been amended and claim 6 has been canceled without prejudice or disclaimer of the subject matter contained therein. Reconsideration of the application, as amended, is respectfully requested.

The drawings are objected to. Attached herewith are replacement sheets for Figures 1 and 2 which use the label "Prior Art". Also, the replacement sheet for Figure 2 and another replacement sheet for Figure 3 label the black boxes in the drawings. The requirements of MPEP 608.02(g) and 37 CFR 1.84(o) should be satisfied. Withdrawal of the drawing objections and approval of the attached replacement sheets of drawings are requested.

Claims 1-6 stand rejected under 35 USC 103 as being unpatentable over Thorwirth et al, US Patent 6,542,241 in view of Ahlers et al, US Publication 2002/0131618. This rejection is respectfully traversed.

The present invention provides for a CCD-based biochip reader having a light source, a collimating lens, a focusing lens, a filter and a charge-coupled device. As recited in independent claim 1, the light beams comprise flat-top energy light beams whereby energy distribution of the light beams is a non-Gaussian distribution in intensity. This is discussed in the paragraph bridging pages 3 and 4 of the instant specification. This non-Gaussian distribution will be a uniform distribution in intensity. Thus, it is not needed to add a grating to correct the non-uniformity of energy, for example.

It is submitted that the Thorwirth et al patent alone or as modified by the teachings of Ahlers et al would not produce a CCD-based biochip reader as claimed in the present application. It is therefore respectfully requested that the 35 USC 103 rejection now be reconsidered and withdrawn.

In view of the above amendment, the pending application should be in condition for allowance. An early Notice of Allowance is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone

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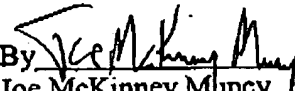
number below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), the Applicants respectfully petition for a one (1) month extension of time for filing a response in connection with the present application and the required fee of \$120.00 is to be charged to the Deposit Account 02-2448.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

Dated: September 18, 2006

Respectfully submitted,

By 
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Attachments